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In re Application of
VAN ROERMUND
Application No.: 10/564,655
PCT No.: PCT/**IB04/00506**
Int. Filing Date: 12 July 2004
Priority Date: 18 July 2003
Attorney Docket No.: 003696
For: AMPLIFYING CIRCUIT COMPRISING AN
ENVELOPE MODULATED LIMIT CYCLES
MODULATOR CIRCUIT

DECISION ON SUBMISSION

This application is before the PCT Legal Office for consideration of applicant's "Response to Notification of Missing Requirements under 35 U.S.C. 371" filed in the United States Patent and Trademark Office on 23 October 2007.

BACKGROUND

On 12 July 2004, international application PCT/**NL04/00506** was filed, claiming a priority date of 18 July 2003. The thirty month deadline for entering the national stage expired at midnight on 18 January 2006.

On 13 January 2006, applicant filed a transmittal letter concerning a filing under 35 U.S.C. 371 accompanied by the basic national fee. The transmittal letter identified PCT/**IB04/00506**. The papers were assigned application no. 10/564,655 as the national stage application of PCT/**IB04/00506**.

On 14 April 2006, a Notification of Missing Requirements was mailed to applicant indicating that an oath or declaration, in compliance with 37 CFR 1.497(a) and (b), and the surcharge for filing the oath or declaration after the thirty month period, was required.

On 28 April 2006, applicant filed an executed declaration in response to the Notification of Missing Requirements directed to PCT/**NL04/00506**.

On 27 April 2007, a Notification of Defective Response was mailed to applicant indicating that "the current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it does not identify the application to which it is directed." Applicant was given ONE month within which to respond or the time remaining as set forth in the Notification of Missing Requirements, whichever was longer.

On 23 October 2007, applicant filed the instant response to the Notification of Missing Requirements.

DISCUSSION

A review of the transmittal letter filed on 12 January 2006 indicates that applicant filed a request for a national stage application for international application PCT/**IB04**/00506.

A review of PCT/NL04/00506 indicates that it was filed on 12 July 2004 and claimed a priority date of 18 July 2003. The thirty month deadline for entering the national stage of PCT/NL04/00506 expired on 18 January 2006.

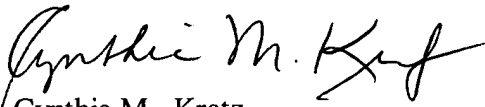
A national stage application was not filed for PCT/NL04/00506 by the expiration of the thirty month period, and thus, the international application PCT/NL04/00506 was abandoned at midnight on 18 January 2006 for failure to pay the basic national fee. *See* 37 CFR 1.495 and MPEP §§1893.01.

Since, as explained herein, the international application PCT/NL04/00506 was abandoned at midnight 18 January 2006, applicant may wish to consider filing a petition to revive under 37 CFR 1.137 with respect to international application PCT/NL04/00506. *See* MPEP 1893.02.

CONCLUSION

For the reasons set forth above, applicant's response to the Notification of Missing Requirements is dismissed. The international application PCT/NL04/00506 is **ABANDONED**.

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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